

## **REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed March 20, 2006. Claims 49-60, 65-73, 78-85, 98, 99 and 101-108 were rejected.

Claims 49-58, 60, 68-72, 78-84, 98, 99 and 109-131 remain in the application. Claims 1-36 were originally presented. Claims 59, 65-67, 73, 85 and 101-108 have been canceled without prejudice. (Claims 1-48, 61-64, 74-77, 86-97 and 100 were previously canceled.) Claims 49, 60, 68-72, 78, 80-84, 98 and 99 have been amended. New claims 109-131 have been added. Support for the amendments and new claims is clearly found in the specification and original claims.

### **Claim Rejections - 35 U.S.C. § 102**

Claims 49-51, 53-60, 65-67, 98-99, 101-103 and 105-108 (including independent claims 49 and 98) were rejected under 35 U.S.C. § 102(b) as being anticipated by Peck.

Claims 59, 65-67, 101-103 and 105-108 have been canceled.

The Peck reference discloses a banner. The Peck reference fails to disclose a specific list of items including a cell phone, a PDA, etc. disposed on a pad. In addition, the Peck reference fails to disclose a pad disposed on a dashboard or console of a vehicle.

In contrast, independent claims 49 and 98 set forth:

"an item, removably disposed on the top surface of the pad, the item being selected from the group consisting of: a cell phone, a personal digital assistant, a writing instrument, a pen, a pencil, sunglasses, eye glasses, a global positioning system, a radio, a two-way radio, a citizens band radio, a walkie-talkie, a camera, a video recorder, a cassette player/recorder, a mini-cassette recorder, a DVD player, a mini-disk player, and a portable television."

New independent claims 109 and 120 set forth:

"a dashboard or console of a vehicle; a pad having a bottom disposed on the dashboard or console of the vehicle."

The elements of the specific list of items disposed on a pad and a pad disposed on a dashboard or console of a vehicle are not taught by Peck.

The office action notes that dependent claims 59 and 60 were given no patentable weight because the claimed elements are directed to an intended future use. Applicant notes that the elements in independent claims 49, 98, 109 and 120, as well as the dependent claims, are now positively recited and required by the claims, and thus no longer intended future uses.

Therefore, Applicant respectfully submits that independent claims 49, 98, 109 and 120 are allowable, and urges the Examiner to withdraw the rejection. The dependent claims are allowable for at least their dependence on an allowable independent claim.

### **Claim Rejections - 35 U.S.C. § 103**

Claim 52 was rejected under 35 U.S.C. § 103 as being unpatentable over Peck in view of Hendershot.

Claim 52 is allowable for at least its dependence on allowable independent claim 49.

Claims 68-73 and 78-85 (including independent claims 68 and 78) were rejected under 35 U.S.C. § 103 as being unpatentable over Timpson in view of Peck.

The Timpson and Peck references, when combined, do not teach or suggest all of the elements of claims 68 and 78. Specifically, the Timpson reference discloses a banner on a windshield of a car, while the Peck reference discloses a banner. The Timpson and Peck references do not teach to dispose a pad on a dashboard or console of a vehicle and place a specific item such as a cellphone, a PDA, etc. on the pad.

Therefore, Applicant respectfully submits that independent claims 68 and 78 are allowable, and urges the Examiner to withdraw the rejection. The dependent claims are allowable for at least their dependence on an allowable independent claim.



## CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 49-58, 60, 68-72, 78-84, 98, 99 and 109-131 are in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Garron M. Hobson at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

Check No. 25330, in the amount of \$175.00, is enclosed for seven additional claims. Twenty-two claims were added (claims 109-131), including two independent claims (claims 109 and 120), while fifteen claims were canceled (claims 59, 65-67, 73, 85 and 100-108), including three independent claims (claims 65, 101 and 102). Therefore, no additional fee is due.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 12<sup>th</sup> day of May, 2006.

Respectfully submitted,

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